

FIFTY-FIRST DAY
(Continued)
(Thursday, April 27, 1989)

AFTER RECESS

The Senate met at 8:00 a.m. and was called to order by Senator Sims.

SENATORS ANNOUNCED PRESENT

Senators Brown, Caperton, Glasgow, McFarland, Washington and Whitmire, who had previously been recorded as "Absent-excused," were announced "Present."

MESSAGE FROM THE HOUSE

House Chamber
April 27, 1989

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 226, Requesting the U.S. Secretary of Defense to include full funding for continued development of the V-22 Osprey tiltrotor program.

S.B. 1445, Relating to the increase of the fee required of garagekeepers when reporting an abandoned vehicle in their possession to a police department.

H.B. 558, Relating to tuition and fee payments at institutions of higher education and to Texas Public Educational Grants funded by tuition payments.

H.B. 4, Relating to foreign offices of the department of commerce.

H.B. 1871, Relating to the detention hearings for youths committed to the Texas Youth Commission who are detained at the request of the commission.

H.B. 1779, Relating to electronic monitoring and community service as a sentencing alternative for certain defendants convicted of misdemeanors.

H.B. 1392, Relating to eligibility for financial assistance and service of families with dependent children.

H.B. 501, Relating to coordinated vocational-academic educational programs for certain grade levels.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Sims in Chair) announced that the time had arrived for consideration of the Local and Uncontested Bills Calendar.

Pursuant to Senate Rule 9.03(d), the following bills were laid before the Senate, read second time, amended where applicable, passed to engrossment/third reading, read third time and passed: (Vote on Constitutional Three-Day Rule and final passage indicated after the caption of each bill.)

- C.S.S.B. 88** (Brown) Relating to business entities that are exempt from taxation in an emergency services district. (30-1) Washington "Nay" (31-0)
- C.S.S.B. 93** (Santiesteban) Relating to the issuance of a subpoena for the purpose of discovering the location of a person indicted on a criminal charge. (30-1) Washington "Nay" (31-0)
- C.S.S.B. 595** (Brooks) Relating to the regulation of psychologists. (30-1) Washington "Nay" (31-0)
- C.S.S.B. 632** (Harris) Relating to the liability of independent contractors who contract with a municipality to provide certain mass transportation services. (30-1) Washington "Nay" (31-0)
- C.S.S.B. 693** (Santiesteban) Relating to the manner in which certain businesses may claim a sales and use tax exemption for exported items. (30-1) Washington "Nay" (31-0)
- S.B. 786** (Brooks) Relating to the liability of pilots providing pilot services to or from ports located in Galveston County. (30-1) Washington "Nay" (31-0)
- S.B. 806** (Lyon) Relating to the use of fire trucks. (30-1) Washington "Nay" (31-0)
- S.B. 874** (Caperton) Relating to Supreme Court rulemaking in certain actions. (30-1) Washington "Nay" (31-0)
- C.S.S.B. 891** (Whitmire) Relating to membership and credit in, benefits from, and administration of, public retirement systems for fire fighters in certain municipalities. (30-1) Washington "Nay" (31-0)
- S.B. 920** (Green) Relating to judges of the statutory probate courts being magistrates. (30-1) Washington "Nay" (31-0)
- C.S.S.B. 1000** (Carriker) Relating to the administration and apportionment of franchise taxes collected from banking corporations. (30-1) Washington "Nay" (31-0)
- C.S.S.B. 1049** (Parker) Relating to a central repository of school district boundary information and maps. (30-1) Washington "Nay" (31-0)
- C.S.S.B. 1051** (Krier) Relating to the powers and duties of trustees. (30-1) Washington "Nay" (31-0)
- C.S.S.B. 1066** (Green) Relating to the civil enforcement of certain public health, safety and welfare ordinances. (30-1) Washington "Nay" (31-0)
- S.B. 1080** (Montford) Relating to the cancellation of insurance after foreclosure under a deed of trust. (30-1) Washington "Nay" (31-0)
- C.S.S.B. 1090** (Santiesteban) Relating to court administration and jurisdiction in El Paso County and to the creation of the County Court at Law No. 6 of El Paso County. (30-1) Washington "Nay" (31-0)
- S.B. 1143** (Carriker) Relating to the creation of the Baylor County Hospital District. (30-1) Washington "Nay" (31-0)
- S.B. 1146** (Parker) Relating to the sale of certain real property in Jefferson County by Lamar University. (30-1) Washington "Nay" (31-0)
- S.B. 1183** (Washington) Relating to a course in American Sign Language fulfilling the other language requirement in public schools. (30-1) Washington "Nay" (31-0)
- S.B. 1207** (Santiesteban) Relating to notice to a purchaser of real property in a water district. (30-1) Washington "Nay" (31-0)

S.B. 1352 (Lyon) Relating to the frequency with which an election for the incorporation of certain general-law municipalities may be held. (30-1) Washington "Nay" (31-0)

C.S.S.B. 1386 (Bivins) Relating to the rights of a victim of certain delinquent children and children in need of supervision and of the victim's guardian and certain relatives. (30-1) Washington "Nay" (31-0)

C.S.S.B. 1387 (Uribe) Relating to the structure, powers, and duties of the Texas Hospital Equipment Financing Council and to the duties of the state treasurer in relation to the Council. (30-1) Washington "Nay" (31-0)

S.B. 1561 (Brooks) Relating to certain information collected by the State Bureau of Vital Statistics. (30-1) Washington "Nay" (31-0)

S.B. 1575 (Uribe) Relating to jurisdiction in the Cameron County Court at Law. (30-1) Washington "Nay" (31-0)

S.B. 1635 (Sims) Relating to the creation of the Crockett County Underground Water Conservation District. (30-1) Washington "Nay" (31-0)

C.S.S.B. 1636 (Sims) Relating to the creation of the Bandera County Water Management District. (30-1) Washington "Nay" (31-0)

C.S.S.B. 1646 (Barrientos) Relating to the creation of the West Travis County Municipal Utility District No. 3. (30-1) Washington "Nay" (31-0)

C.S.S.B. 1647 (Barrientos) Relating to the creation of the West Travis County Municipal Utility District No. 4. (30-1) Washington "Nay" (31-0)

C.S.S.B. 1648 (Barrientos) Relating to the creation of the West Travis County Municipal Utility District No. 5. (30-1) Washington "Nay" (31-0)

C.S.S.B. 1667 (Tejeda) Relating to the creation of the Alamo Conservation and Reuse District. (30-1) Washington "Nay" (31-0)

S.B. 1672 (Zaffirini) Relating to the creation of the Frio Hospital District. (30-1) Washington "Nay" (31-0)

H.C.R. 90 (Uribe) Authorizing the National Hispanic Institute to use the House and Senate Chambers on August 2-4, 1989. (vv)

H.C.R. 142 (Sims) Authorizing the Speaker and Lieutenant Governor to appoint special joint committees during the interim. (vv)

H.B. 171 (Montford) Relating to the boundaries of the Seminole Hospital District of Gaines County. (30-1) Washington "Nay" (31-0)

H.B. 264 (Haley) Relating to income considered in determining the fee for mental health services. (30-1) Washington "Nay" (31-0)

H.B. 349 (Zaffirini) Relating to the authority of certain general-law municipalities to annex adjacent streets, highways, roads, and alleys. (30-1) Washington "Nay" (31-0)

H.B. 361 (Montford) Relating to weight, length, height, and width limitations for vehicles used to transport seed cotton modules, cotton, or equipment used in transporting or processing of cotton. (30-1) Washington "Nay" (31-0)

H.B. 413 (Lyon) Relating to the number of voters who must sign a petition for the incorporation of certain general-law municipalities. (30-1) Washington "Nay" (31-0)

H.B. 575 (Glasgow) Relating to the financing and operation of the Parker County Hospital District and the election of directors and providing for the levy of a sales tax. (30-1) Washington "Nay" (31-0)

H.B. 594 (Montford) Relating to the definition of "coercion" for the purpose of prosecution of offenses against public administration. (30-1) Washington "Nay" (31-0)

C.S.H.B. 1035 (Ratliff) Relating to standards and procedures for review of audits of water districts. (30-1) Washington "Nay" (31-0)

H.B. 1168 (Edwards) Relating to the tax rate of the Teague Hospital District and to the use of the tax money. (30-1) Washington "Nay" (31-0)

C.S.H.B. 1271 (Whitmire) Relating to an increase in benefits and a cost of living adjustments in certain retirement systems of fire fighters. (30-1) Washington "Nay" (31-0)

H.B. 1400 (Brooks) Relating to certain powers and duties that may be exercised by a doctor of osteopathic medicine. (30-1) Washington "Nay" (31-0)

SENATE BILLS AND RESOLUTION ON FIRST READING

On motion of Senator Sims and by unanimous consent, the following bills and resolution were introduced, read first time and referred to the Committee indicated:

S.C.R. 132 by Sims Natural Resources
Authorizing the Department of Agriculture, in conjunction with the Texas Water Commission and the Texas Agricultural Extension Service, to conduct a pilot project involving the collection and disposal of pesticide wastes in Senate District 25.

S.B. 1771 by Bivins Intergovernmental Relations
Relating to the municipal courts of record in Amarillo.

S.B. 1772 by Bivins Economic Development
Relating to the sale of insurance policies of insurers placed in supervision, conservatorship, or receivership.

S.B. 1773 by Lyon Natural Resources
Relating to spring water and the spacing of water wells.

S.B. 1774 by Sims Health and Human Services
Relating to the authority of the Menard County Hospital District to borrow money to pay its operating expenses.

S.B. 1775 by Leedom State Affairs
Relating to real estate transactions involving state-owned real property by the asset management division of the General Land Office.

S.B. 1776 by Brooks Criminal Justice
Relating to the attainment of educational skills as a condition of probation or parole.

HOUSE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution received from the House were read the first time and referred to the Committee indicated:

H.J.R. 69, To Committee on State Affairs.

H.B. 3, To Committee on Education.

H.B. 27, To Committee on Health and Human Services.

H.B. 121, To Committee on State Affairs.
H.B. 472, To Committee on Economic Development.
H.B. 638, To Committee on Education.
H.B. 1333, To Committee on Natural Resources.
H.B. 1359, To Committee on Jurisprudence.
H.B. 1462, To Committee on Natural Resources.
H.B. 1464, To Committee on State Affairs.
H.B. 1810, To Committee on Health and Human Services.
H.B. 1892, To Committee on State Affairs.
H.B. 1910, To Committee on State Affairs.
H.B. 2552, To Committee on State Affairs.

**CONCLUSION OF SESSION FOR LOCAL AND
UNCONTESTED BILLS CALENDAR**

The Presiding Officer (Senator Sims in Chair) announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 8:30 a.m. adjourned until 11:00 a.m. today.

**FIFTY-SECOND DAY
(Thursday, April 27, 1989)**

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Glasgow, Green, Haley, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Santiesteban, Sims, Tejeda, Truan, Uribe, Whitmire, Zaffirini.

Absent-excused: Harris, Washington.

A quorum was announced present.

The Reverend Anne Hoey, Good Shepherd Episcopal Church, Austin, offered the invocation as follows:

O Holy Spirit of God, guide, we pray Thee, all those to whom is committed the government of this State and the destinies of its people. Grant them Thy special gifts of wisdom and understanding, of counsel and strength, of courage and high resolve; may they consider and deliberate all questions before them with calm and equity, and act wisely and with true conviction, upholding what is right, abhorring what is wrong, promoting what is just, standing in all things for what is good and true, that Thy will may be done and Thy kingdom come. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.